

December 20, 2016

Mr. Paul Johnson
EPA Region 6
1445 Ross Avenue
Suite 1200 (6SF-VB)
Dallas, TX 75202-2733

Dear Mr. Johnson:

On behalf of the Denton County Transportation Authority (DCTA), I am pleased to submit this Brownfields **Site-Specific Assessment grant application for combination - petroleum and hazardous substances**. The DCTA, located at 1955 Lakeway Drive, Lewisville, Texas, 75057, is the responsible Agency for receipt of EPA funds. **We respectfully request \$178,200 total (\$89,100 for petroleum and \$89,100 for hazardous substances).**

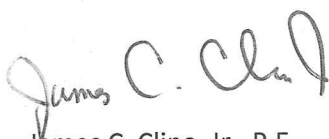
Grant funds will be used to conduct a Phase II Environmental Site Assessment. The target area for this effort is the City of Lewisville, and in particular, Census Tract 0216.19. Light industrial and commercial redevelopment projects are planned for this site. Suspected contamination includes petroleum, polychlorinated biphenyls (BCPs), heavy metal, mercury, arsenic, selenium, and lead.

The proposed project is located at 640 Texas 121 Business, Lewisville, Texas, 75057, which is in Denton County. As President of DCTA, I am responsible for all activities related to the DCTA. My contact information is 1955 Lakeway Drive, Lewisville, Texas, 75057, telephone: (972) 316-6100 facsimile: (972) 221-4601, electronic mail: jcline@dcta.net. The project director for this effort is Ann Boulden. Her contact information is: telephone: (972) 966-5112, facsimile: (972) 221-4601, electronic mail: aboulden@dcta.net.

The project period is three (3) years. The population of Lewisville is 101,074. Census Tract 0216.19 in which our project is located, has a population of 2,658 with the following rates: unemployment (8.3%), poverty (20.28%), and minority (69.11%).

Our cooperative partners include the City of Lewisville, Lewisville Chamber of Commerce, Denton County Public Health Department, and the Medical Center Lewisville.

Sincerely,



James C. Cline, Jr., P.E.
President
Denton County Transportation Authority

NARRATIVE PROPOSAL/RANKING CRITERIA

1. COMMUNITY NEED

A. TARGET AREA AND BROWNFIELDS

Historical Context: The proposed property is located in Lewisville, Texas (population 101,074), 25 miles north of Downtown Dallas and 17 miles north of the Dallas/Ft. Worth International Airport (DFW). Over the past 50 years, the City and entire Dallas region has experienced a population and economic boom despite the late 1970's and late 2000's recessions. According to 2013 population data, Lewisville residents identify as White (46.6%), Hispanic or Latino (31.1%), African American (9.9%), Asian (7.6%), Native American (0.07%), other races (0.4%), and from two or more races (3.3%). Today, due to its location near Dallas and DFW and the placement of Interstate 35 through the heart of the City, Lewisville is one of the fastest-growing municipalities in the United States and due to our consistently warm climate and proximity to Lewisville Lake, we are a recreational hub for the Dallas – Fort Worth Metroplex. Top employers include JPMorgan Chase, Lewisville Independent School District, Nationstar Mortgage, numerous car and boat dealerships, and several food distribution companies. Lewisville is aggressively revitalizing its Old Town area with shopping, restaurants, recreation, and multi-use developments (located within one mile of the proposed property). Due to its popularity, rapid population growth, and land constraints from neighboring cities, the City of Lewisville is severely limited in available property for economic expansion.

Proposed Site History: The site (77.5 acres total) is located at 640 Texas 121 Business, Lewisville, Texas 75057. The property is owned by the Denton County Transportation Authority (DCTA) purchased through condemnation due to property tax abandonment. Portions of the property (30 acres) have already undergone environmental assessment and these areas now house the DCTA Operations and Maintenance facility, parking lot and driveways, and equipment staging areas. The balance of the property (46 acres) remains as vacant, unused land. The entire property site has had multiple, documented uses over the years. From the 1940s to the late 1990s, the site's central portion was used for rural farming where fertilizers and pesticides were used. From the mid-1960s to the early 1980s gravel mining operations occurred on the northern and southern portions. After the mining operations ceased, the quarries were filled with rock and construction materials from the 1980s until the early 2000s. We also have documented that a junkyard was located on the northwestern portion of the site in the early 2000s and illegal dumping of household trash, construction materials, tires, drums and road construction materials occurred throughout the site until 2011, when DCTA Facilities were constructed on-site. These uses (i.e. landfilling operations, numerous on-site unlabeled drums, and former junkyard) constitute recognized environmental conditions (REC) to the site.

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TABLE 1 – DEMOGRAPHIC INFORMATION*

	Target Area - Census Tract 0216.19**	City - Lewisville	State - Texas	National – U.S.
Population:	2,658	101,074	26,092,033	314,107,084
Unemployment:	8.3%	4.6%	4.9%	5.0%***
Poverty Rate:	20.28%	10.6%	17.7%	15.6%
Minority:	69.11%	34.7%	27.7%	37.2%
Median Household Income:	\$50,813	\$58,559	\$52,576	\$53,482

*All data are from the 2014 American Community Survey data profile are available at www.factfinder.census.gov unless otherwise specified. **All Target Area data from 2014 Federal Financial Institutions Examination Council at <https://geomap.ffiec.gov/FFIECGeocMap/GeocodeMap1.aspx>. ***Bureau of Labor Statistics (The Employment Situation – March 2016) at www.bls.gov/news.release/pdf/empst.pdf.

Brownfields Site Description (nature and extent): Based on a review of historical information and as described from above, the site consisted of vacant land with a rural farmstead, gravel mining operations, landfilling of the quarries, a junkyard, and illegal dumping of household trash, construction materials, tires, drums (approximately 75+) and road construction materials occurred throughout the site until 2010. The drums and barrels located on the site are currently empty (bungs are missing or were removed upon dumping), though many have collected rainwater and have an unidentified oily substance within, which is believed to be petroleum and/or petroleum-based. ***This project is to perform a Phase II subsurface environmental assessment (on the 46 acres) which is required to determine if contaminants are present at the site, and if so, to what extent, and any possible threats to public health.***

Proximity to Residents: The site is located in a predominately light industrial/commercial area, but is very close to numerous residential neighborhoods, shopping, and recreation destinations. The site is within one-quarter mile of residential neighborhoods to the north and east and Railroad Park to the southeast. The park's sports fields, dog park, and trails are used by area residents and visitors daily. The property is directly adjacent to Northwood Mobile Home Park which has over 450 homes with families who depend on a clean and safe water supply, and are susceptible to affected air, water, and soil quality. The site also contains a tributary to Timber Creek at its southwest corner. The Creek is downstream from a designated wetlands area and Lake Lewisville which is a source of drinking water for the residents of Denton County.

Real or Perceived Negative Environmental Impacts: If soil and water contamination is discovered at the site due to the RECs found at the property, that contamination could have a negative effect on air quality, water quality, soil quality, and public health. Potentially hazardous and life-threatening substances can be found in construction waste and petroleum products including Lead, Arsenic, Selenium, Polychlorinated Biphenyls (PCBs), Mercury, and Heavy Metals, just to name a few. Pollutants have the capacity to enter the soil and groundwater, which in turn can potentially contaminate drinking water supplies, wells, and downstream bodies of water affecting wildlife habitats, causing die-offs, and affecting public health. Soil contamination can contribute to pollutants being passed on to plants and wildlife

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that come in contact with affected soil. The most serious of affects is the ability for contaminants to be released directly from the soil back into the air, where our residents could have direct contact. Airborne contaminants are leading contributors to breathing difficulties including asthma and lung cancers. *Air Quality is one of EPA's Region 6 priorities, and this project will directly address the possible air quality effects of pollutants from Brownfields sites.*

B. WELFARE, ENVIRONMENTAL, AND PUBLIC HEALTH IMPACTS

Welfare Impacts: The primary welfare issues experienced by the residents of Lewisville are related to poverty and housing. Sixteen percent of all residents, including 18% of children, live below the poverty level (U.S. Census, 2015). Lewisville School District reported in 2014 that 507 students were homeless, with only one youth homeless shelter in the county. In Denton County, 13% of residents experience severe housing problems such as overcrowding and lack of kitchen or plumbing facilities. Also, the cost of housing – both owning and renting – is above the state average (14% and 10%, respectively).

Cumulative Environmental Issues: The Clean Air Act stipulates that ozone pollution does not exceed 75 parts-per-billion. Yet, in 2013, data from the Texas Commission on Environmental Quality (TCEQ) showed that the three-year, eight-hour average of ozone readings in Denton County was 87 parts-per-billion, tying with Houston as the highest average in Texas. In Lewisville, on a scale of 100, air quality is reported at 47 and water quality is 72 (www.bestplaces.net). Local air and water quality are compromised in part, by the City's four landfills, the Lewisville Power Plant, high traffic volume and goods movement along Interstate 35 (a five-lane freeway in both directions), and the gas (over 14,000) and oil wells (over 15,000) in the Barnett Shale which extends across northern Texas, and contains the entirety of Denton County within its boundaries. landfills release over 10 toxic gases, the most serious of which is methane. In addition, landfills leak toxins into the ground, which can ultimately end up in drinking water. In 2012, the electric power sector accounted for 32% of total greenhouse gas emissions in the U.S. Carbon dioxide (the primary greenhouse gas pollutant) causes rising temperatures and sea levels as well as changes in weather patterns and ecosystems. In addition, high levels of truck traffic in Denton County along Interstate 35 also produce large amounts of emissions, even when the vehicles are only idling when parked.

Cumulative Public Health Impacts: Our most vulnerable citizens, including children, the elderly, and people with lung disease e.g., asthma, are most at risk from the health impacts of brownfields, pollution, and the resulting climate change. Children (18 years old and younger) make up 23% of the Lewisville population, and persons aged 65 and older represent 15%. There is a growing body of research that shows air pollution is strongly associated with increased chronic disease in children, especially asthma (www.pediatrics.org). The childhood asthma prevalence in the Denton County was 11.0% in 2014, one of the highest in the state of Texas (2014 Texas Asthma Burden Report). Similar to children, the elderly are particularly susceptible to environmental exposures. Regardless of their age, individuals with asthma are significantly affected by environmental exposures to various forms of pollution. Five of the most egregious outdoor pollutants that affect asthma patients are nitrogen dioxide, sulfur

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dioxide, ground level ozone, carbon monoxide, and particle pollution. Ground level ozone, frequently found in smog and most prevalent near high-traffic areas, has been shown to impact breathing capacity. The health effects of carbon monoxide, nitrogen dioxide, and sulfur dioxide (produced mostly by factories, coal-burning power stations, and transportation vehicles) appear to make asthma symptoms worse. Although asthma is not a fatal disease, according to the Texas Department of State Health Services, eight people died from asthma in Denton County between 2011 and 2013.

C. FINANCIAL NEED

Economic Conditions: The Denton County Transportation Authority (DCTA) was established in 2002 to provide bus and rail service to the greater Lewisville and Denton area. Our primary revenue source is a 1/2 cent local sales tax from our three (3) member cities - Denton, Highland Village, and Lewisville. The construction of our commuter train system was funded through grants. In 2009, we acquired the brownfields property through condemnation due to the inability of the previous owners to pay the required property taxes. We were not actively seeking to purchase the property (more than 77 acres) but the property was underutilized (still is) and the location (near two major freeways) was ideal for a planned facility. A limited Phase II assessment was completed at the time of purchase at two sites (Lots D and F, where DCTA maintenance facilities are now located). After acquisition, the extent of possible environmental damage became more apparent and it was clear that costly environmental analysis was necessary. With our limited budget, we began to work on phased approaches to assessment and clean-up. A Phase I Assessment was performed in 2013 throughout the remainder of the fenced property where no facilities are located currently. At this time, DCTA is in the process of contracting with a qualified contractor who will remove tires, debris, and barrels from the property. The following conditions impact our ability to fund the proposed project:

- The nature of our operations requires us to use grant revenue to complete activities that are outside our normal business operations (like soil assessments proposed herein). We receive significant federal grant funding to help offset the cost of public transportation services and any additional funding is used for maintenance or long-range capital improvements. It would likely be 5-7 years before the property could be redeveloped if DCTA were to perform the assessment on their own.
- In 2015, we experienced a significant natural disaster (tornadoes and flooding) which resulted in southern portions of our commuter rail line being closed. This impacted our commuter rail ridership by 2.3% resulting in lost revenue that was not anticipated. The 2015 storms were so severe that the region was declared a federal disaster area and projects, such as the assessment and cleanup of the property, were put on hold.
- In 2015, the Bob Evans Sausage plant in nearby Richardson laid off more than 100 employees and the Blue Bell Ice Cream facility in Fort Worth laid off or furloughed nearly 4,000 employees, many of whom were Lewisville residents. As a result, much of the County tax base was reduced in a short time period and the DCTA could not rely on appropriations for its ongoing efforts at the site.

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Financial assistance is needed to complete the Phase II assessment and cleanup at a quicker pace in order to make the land usable and environmentally ready for new development. The ultimate objective is to bring new jobs to the region to offset negative economic conditions and disruptions experienced by residents in the past few years.

Economic Effects of Brownfields: The property is currently underutilized and represents lost tax revenue, lost job base, and lost economic value. The property site is extremely large (over 77 acres total with 46 acres needing Phase II Assessment) and represents significant tax and economic potential if pursued for redevelopment. The following is provided to help underscore the value this property represents to the region and realistic ideas for redevelopment:

- **Realistic Redevelopment:** The project site is located at the confluence of the 121 Toll Road and I-35 E. Both transportation facilities are major east/west and north/south corridors, respectively and they bisect at the property site. Companies that need quick access to major transportation routes, DFW, and downtown Dallas are quality candidates for this site.
- A 2008 national study estimated that one permanent job is leveraged per \$10,000 - \$13,000 invested in Brownfields redevelopment. (Evans Paull, "Environmental and Economic Impacts of Brownfields Redevelopment," Northeast-Midwest Institute (2008) – <http://www.nemw.org/images/stories/documents/EnvironEconImpactsBFRdev.pdf>).
- **Leveraging private investment:** The liabilities associated with redeveloping contaminated property discourages private investment.
- **Tax Base:** U.S. Conference of Mayors study found that redevelopment of 654 brownfields sites in 50 cities between 1993-2010 yielded a \$309 million collective tax base increase (The United States Conference of Mayors, "Recycling America's Land: A National Report on Brownfields Redevelopment (1993-2010)," 2010 - <http://www.usmayors.org/pressreleases/uploads/November2010BFRreport.pdf>).

2. PROJECT DESCRIPTION AND FEASIBILITY OF SUCCESS

A. PROJECT DESCRIPTION, TIMING AND IMPLEMENTATION

Project Description: EPA grant funds will be used to pay for expert consultant assistance to develop a Phase II assessment plan and conduct subsurface investigations/assessment. Based on the analysis and outcome of testing, a Clean-up Plan will be requested (outside the scope of this grant request). The specific testing that will be performed includes: site sampling (soil borings and test water wells), laboratory analysis of samples, and report findings. The activities will enable DCTA to determine if hazardous substances and/or petroleum are present at the site, and if so, to what extent. This will enable DCTA to make a thoughtful and successful cleanup plan for the site, if necessary.

Redevelopment Strategy/Projected Development: The City of Lewisville is at a major crossroads because most of its land suitable for development has been exhausted. One idea for redevelopment involves looking at current commercial and industrial businesses located in Old Town and relocating them to the proposed site, which is more suitable for the type of business. For example, there are currently lumber yards and warehouse facilities in Old Town. Relocation of these businesses would free up "downtown" parcels for better use (e.g. retail, restaurants,

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etc.). The mixed-use developments proposed by the City for Old Town integrate housing with retail, commercial, and office uses in proximity to public transit. These developments will promote greater walking and reduce automobile trips thereby reducing air pollution, noise, and energy consumption and improving the overall health of the community. Please see the next section regarding the Old Town Master Plan. In addition, the Brownfields property would also be a quality candidate site for a construction "lay down" yard or other open space commercial use including car rental storage facility, large trailer storage facility, etc.

Alignment with Land Use and Revitalization Plans: The project aligns with the following Plans:

Lewisville Old Town Master Plan: The 2000 Old Town Enhancement Plan, based upon extensive community input, called for the creation of commercial and residential districts that would preserve and enhance the unique environment of Old Town (see map for location in relation to the Brownfields site). For landlocked Lewisville, the idea of revitalization has become important as the area available for new development citywide decreases. Without annexation of surrounding areas (which promotes urban sprawl and is highly unlikely to be supported by the community) additional growth must occur as re-use of existing underutilized parcels, Brownfields sites, and obsolete development. By its very nature, infill (re)development preserves resources by reusing existing infrastructure rather than looking to new open space.

Lewisville 2025 Vision Plan: The 2014 Plan provides the City with a road map for future growth and prioritizing projects and strategies for action for the next 10 years. Specific growth goals include the following: 1) businesses that benefit from proximity to DFW International Airport; 2) small businesses and start-ups opportunities; 3) refreshed and revitalized business locations along IH 35E; 4) a vibrant Old Town; 5) job skills and connections; and 6) infrastructure, facilities and partnerships that support growth.

DCTA Creating Livable Communities with Transit Plan: DCTA is working closely with Denton County to create livable communities. This plan focuses on the synergy between land use and transit, its effects on the community, and the required steps to encourage the following: 1) Affordable housing and access to jobs; 2) Community revitalization and placemaking; and 3) Environmental and Air Quality Improvements.

Equitable and/or Sustainable Development Practices: The proposed project and its alignment with DCTA and City growth plans will facilitate redevelopment of the currently unusable property to provide new commercial opportunities and new jobs for the existing community. The project will also benefit the low-income and minority populations in the target area primarily through the creation of jobs, and the remediation of harmful effects of possibly contaminated air, soil, and water.

Use of Existing Infrastructure (water, sewer, etc.): For future development on the project site, there is existing water, sewage, streets, and other utilities already available. Developers that may be interested in building on this site (or the relocation of businesses from Old Town) can therefore forego considerable infrastructure costs that would be associated with building on a

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new greenfield site. Brownfields redevelopment reduces public infrastructure costs, as opposed to development on new, "greenfield sites" which requires extension of public sewage and water systems, other utilities, streets and other transportation facilities, schools, and parks. The revitalization of this idle property will enable reuse of existing public infrastructure.

Table 2 – Project Timeline and Responsible Parties

No	Major Project Tasks	Responsible Party	Quarters 2017				Quarters 2018				Quarters 2019			
			1	2	3	4	1	2	3	4	1	2	3	4
1	Project Management	DCTA												
1.1	Execute Grant Agreement and Kick-Off Meeting with EPA	DCTA												
1.2	Develop and Publicly Solicit Bids to Select Contractor	DCTA												
1.3	Award and Execute Contract with Selected Contractor	DCTA												
1.4	Project Kick-Off Meeting with Key Project Staff and Contractor	DCTA												
1.5	Submit Quarterly Financial and Performance Reports	DCTA												
1.6	Submit Invoices for Reimbursement	DCTA												
1.7	Complete Final Report and Final Reimbursement Request	DCTA												
1.8	Project Close-Out	DCTA												
1.9	Records Retention for Three Years After Close-Out	DCTA												>
2	Community Outreach	DCTA												
2.1	Plan and Execute Public Meeting with Residents and Stakeholders	DCTA												
2.2	Post Quarterly Project Status Updates to Residents and Stakeholders	DCTA												
3	Phase II Site Assessment	Contractor												
4	Develop Clean-Up Plan (if Necessary)	DCTA												

Contractor Procurement: Pursuant to Section 460.406 of the Texas Transportation Code, DCTA awards contracts for construction, services, or property, other than real property, through the solicitation of competitive sealed bids or proposals ensuring full and open competition, and will award the highest qualified, lowest bid (DCTA Purchasing Procedures Manual, November 2014). DCTA uses and requires contractors and subcontractors to adhere to federal procurement

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standards, identified in the appropriate program regulations. Contractors will be required to make a good faith effort to make available hiring and contracting opportunities to Minority-Owned, Women-Owned Business Enterprises (MEBE/WEBE), and Local Workforce Development Programs as well as having a concise conflict of interest policy.

Internal steps include: 1) developing a Request for Proposals or Invitation to Bid document that includes all EPA bidding and grant requirements; 2) issuing the RFP or IFB by posting to various contract boards, newspapers, and the DCTA web site; 3) receiving, reviewing, and ranking proposals; 4) cross-referencing with SAM to ensure the selected contractor is not debarred, etc.; 5) presenting the successful contractor to the DCTA Board for approval; and 6) issuing a contract and Notice to Proceed to the successful contractor. This process typically requires 45-90 days. DCTA has the requisite personnel and experience to successfully manage this process.

Site-Specific Conditions of Property: The majority of the property is currently fenced and unusable (46 acres). As stated in the Threshold Criteria narrative, Tilford Berry, the previous owner, was located on-site and is listed as a closed and abandoned landfill (CALF). Based on the CALF listing, the landfill was unpermitted and was reported to be open in 1982. The landfill was reported to have construction materials and brush disposed on-site. Based on the landfilling operations, the CALF listing constitutes a REC to the site. In addition, construction and household waste, vehicle tires, barrels and buckets, debris, and 55-gallon drums are littered throughout the property. In 2009, a limited Phase II assessment was conducted at two locations on the DCTA property (Lots D and F) where DCTA facilities were built. No Phase II subsurface soil or water investigation has occurred on the undeveloped portions of the property. The draft assessment and report from Lots D and F found that soil samples exceeded the Texas Commission on Environmental Quality (TCEQ) TRRP Tier 1 commercial/industrial PCL soil medium ingestion route for Arsenic, Lead, Mercury, and Selenium. Arsenic was found in excess in the groundwater.

Obtaining and Securing Site Access: DCTA is the sole owner of the proposed property and has exclusive access to the site.

B. TASK DESCRIPTIONS AND BUDGET TABLE

Task 1 – Program Management (funded by in-kind DCTA staff hours). This task includes overall program management including: develop and publicly solicit a sealed bid to select a contractor, award and execute an agreement with the selected contractor, documenting activities undertaken, and overseeing contractors work for consistency with contractual obligations. This task also includes all grant management activities which include: execute grant agreement and kick-off meeting with EPA; submit financial and performance reports, submit invoices for reimbursement, grant close-out, and records retention for three years after grant close-out. DCTA will ensure that all required regulatory reports are prepared, approved, and submitted. Additionally, this task includes all planning functions needed to prioritize and plan for clean-up.

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Task 2 – Community Outreach (funded by in-kind staff hours). DCTA recognizes that it is essential to include community residents and stakeholder input throughout all phases of project planning, decision-making, and implementation. This will be accomplished through flyers, public meetings, updates to DCTA and stakeholder web sites, press releases, and through regular updates to the DCTA Board’s monthly public meetings. Prior to conducting assessments, DCTA will host a public meeting where residents and stakeholders will have the opportunity to hear and comment on the assessment process and be introduced to consultants selected to work on the project. Input from the public and community will be recorded and evaluated and, if appropriate, incorporated into the project and/or future planning efforts.

Task 3 – Phase II Site Assessment (request for EPA Brownfields funding). Through the use of a qualified consultant, DCTA will conduct a Phase II subsurface assessment anticipated at a lump sum cost of \$178,200 (including both petroleum and hazardous substance investigation concurrently). This area is in the feasibility planning stage of redevelopment and it is crucial to the viability of the proposed redevelopment to factor in the cost of environmental remediation, if needed, early in the process. This cost is based upon the Phase I assessment and cost estimates prepared by Terracon Consultants, Inc. (Terracon). Assessment activities include:

- Develop a Health and Safety Plan (\$1,000): To be used by personnel during services.
- Test Trenching (\$9,500): Approximately 36 trenches (two soil samples each) will be excavated in selected areas to a depth of 20 feet below grade surface (bgs).
- Soil Borings (\$32,500): Three shallow (10 feet bgs) and 20 deep (30 feet bgs or five feet below the groundwater table) borings will be advanced on-site.
- Groundwater/Monitoring Wells (Included in Soil Boring costs): Subsequent to soil boring, 20 deep soil borings converted to monitoring wells for groundwater sample collection.
- Monitoring Well Survey (\$5,200): Measurements will be utilized to construct a groundwater elevation contour map, indicating groundwater flow and hydraulic gradient.
- Laboratory Analysis (\$61,500): Select soil and groundwater samples will be analyzed for VOCs, TPH, SVOCs, pH and RCRA 8 Metals plus manganese. Additionally, samples may be analyzed for TPH TX1006 (aromatic and aliphatic fractionation), synthetic precipitation leaching procedure (SPLP), priority pollutants, PCBs and/or herbicides/pesticides.
- Preparation for Final Report (\$4,600): Final report will include the following: 1) documentation of field activities; 2) site plan showing features; 3) test trench/soil boring/monitoring well logs; 4) analytical laboratory results and summary; 5) data evaluation; and 6) recommendations concerning further action, if necessary.
- Other Costs: Field/Consulting Labor and Reporting (\$22,000); Waste Removal (\$4,300); Equipment (\$7,900); and Contingency (\$29,700).

Task 4 – Clean-up Plan (to be funded with DCTA funds): Results of the assessment will be used to develop a comprehensive clean-up plan. The Plan will identify if the site will require clean-up and the type and degree of clean-up expected to be necessary. This in turn will be factored into current and future redevelopment plans and will supply DCTA with sufficient verifiable information regarding environmental challenges. The Plan will allow DCTA to efficiently and

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effectively work with developers who might otherwise not be interested in select properties for redevelopment due to unknown, but suspected, contamination.

Table – 3 Budget (programmatic costs only)

Budget Categories	Task 1: Program Management	Task 2: Community Outreach	Task 3: Phase II Site Assessment	Task 4: Clean-up Plan	TOTAL
Personnel					
Fringe Benefits					
Travel					
Equipment					
Supplies					
Contractual: Petroleum			\$89,100		\$89,100
Contractual: Hazardous Substances			\$89,100		\$89,100
Total Budget			\$178,200		\$178,200

Ability to leverage: DCTA will contribute in-kind staff time to this project by using DCTA funds to pay for all staff time for program management. These in-kind contributions are estimated to exceed \$10,000 annually over the life of the grant. DCTA has also committed \$108,870 for the removal of tires, debris, trash, and barrels from the property listed as the proposed site (please see attached match/commitment letter). Ultimately, DCTA is committed to the redevelopment of underutilized land and therefore is committed to provide the necessary funds beyond the life of this grant to continue the Brownfields clean-up and redevelopment process.

1. COMMUNITY ENGAGEMENT AND PARTNERSHIPS

Community Involvement Plan: The DCTA has a strong history working with established County- and City-level Planning Groups to develop a committed constituency in its planning efforts. The DCTA will work closely with the City of Lewisville to foster support for planning and implementation of its Brownfields Assessment and Cleanup project. Community collaboration efforts include community meetings that inform local stakeholders and residents and request feedback. Such efforts will include website and newspaper postings that provide information about the status of the project, its goals and objectives, and time frames for completion, as well as days and dates of community meetings that invite all public members and various community groups to attend and provide input. We will also deliver door-to-door flyers in English and Spanish to the homes located adjacent to the project in the Northwood Mobile Home Park to alert residents about activities being performed at the site. DCTA also has an active Citizen's Advisory Team which provides a forum to exchange information on transit related issues, community enhancement; environmental issues; and economic development.

Communicating Progress: DCTA is dedicated to communicating the progress of the proposed project throughout the life of the project and beyond. DCTA and the City of Lewisville will post quarterly project status updates via their prospective websites, and at the monthly DCTA board's public meetings. DCTA will also relay the quarterly status updates to stakeholders for inclusion in their flyers, newsletters, and/or website announcements. Status updates will include a phone number and email address to contact DCTA with any comments or concerns.

B. PARTNERSHIPS WITH GOVERNMENT AGENCIES

Texas Commission on Environmental Equality (TCEQ): The TCEQ is the Texas state environmental authority and is committed to providing support and participation in the project planning and implementation phases in order to achieve the best outcomes for the environment and community. The TCEQ has pledged to work with the DCTA on this effort to identify and address the unhealthy conditions in the short-term and use the information learned from the project to move forward in the long-term cleanup efforts that transform the property into usable sustainable land that benefits the entire Lewisville community.

The proposed project has a base of committed partners and stakeholders to assist in its efforts to implement the Phase II Assessment and cleanup of the proposed property. These collaborations include the following:

- ***City of Lewisville*** is committed to providing community outreach by informing the public of the project and its ongoing progress through City Council meetings, and assisting the project in an advisory role by reviewing cleanup plans as they are developed.
- ***Denton County Commissioners Court*** offers its support and commitment to collect and provide city- and county-level data that will help frame the assessment and its findings, post project progress reports, and also serve in an advisory capacity for project planning.
- ***Senator Cornyn*** provided a letter of support for the project.

Partnerships with Community Organizations: Community organizations that have expressed commitment to the DCTA EPA Brownfields grant application and project include the following:

- ***Lewisville Chamber of Commerce*** represents a unique partnership with business, civic and educational leaders in the Denton County to transform the region where businesses flourish, education reaches a new level of excellence, and the neighborhoods provide a safe and friendly environment. The Chamber has committed to providing any needed assistance to the project, including: 1) participating in project meetings in an advisory role; 2) communicating project status and progress to local business through website, community newsletters, or community events and announcement boards; and 3) conducting outreach and data collection efforts from local businesses. Please see attached letters.

Partnerships with Workforce Development Programs: DCTA will work closely with the City of Lewisville and Workforce Solutions for North Central Texas (Workforce Solutions), and actively encourage local hiring. DCTA aligns with Workforce Solutions' mission is to advance business-driven talent development strategies that promote economic growth, opportunity, and a

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quality workforce. As stated above, DCTA utilizes a solicitation of competitive sealed bids ensuring full and open competition when selecting bidders. We may consider including in our bid document a desire that the successful contractor work with our local Workforce Solutions to hire local employees when working on our project.

PROJECT BENEFITS

Welfare, Environmental, and Public Health Benefits: Project benefits include 1) improving the welfare of the target community through increased job opportunities and economic redevelopment; 2) increased public health through remediation of any toxic contaminants that might cause air, soil, and water pollution; and 3) increased environmental sustainability including safe water at the site subsurface and downstream, and safe soil for local plants and wildlife habitats. Of highest concern are the most vulnerable populations, including residents of 450 mobile homes adjacent to the site who can be affected by site-specific contamination, low-income minority residents, children, and the elderly. The targeted census tract is nearly 70% minority and has a poverty rate nearly five points higher than the national average – **and double that of the City of Lewisville**. The DCTA's long-term goal for the project site is that it will ultimately become an important economic building block for the community. Currently, the land is unsightly and likely contaminated with leaked substances from years of legal and illegal dumping and buildup of waste. Funding from the EPA will allow the DCTA to perform a Phase II Subsurface Assessment and identify next steps in reaching our overall goal of redevelopment, thus improving the welfare, health, and environment of the community.

Air Quality: In particular, this project will help EPA Region 6 meet its priority, Improving Air Quality. The proposed project will determine possible pollutants and contaminants that may be present at the site such as Lead, Petroleum, Arsenic, Selenium, Heavy Metals, and more. Once contaminants are identified and a plan for cleanup are developed, this project will profoundly contribute to the reduction of threats to human health (e.g., asthma and cancer) and the environment, and will improve air quality. In 2008, Evans Paull stated in *The Environmental and Economic Impacts of Brownfields Development*, "the findings from [the 2001 U.S. Conference of Mayors] three case studies indicate that brownfields projects, in comparison to alternative greenfields projects, save between 20% and 40% of vehicle miles traveled. **This translates directly to air emissions reductions or savings of a similar magnitude.**"

Economic and Community Benefits: The site is ideal for commercial and industrial businesses, and could mean jobs for hundreds of area residents – improving the economy and strengthening the community. The DCTA will follow strategies outlined in the Phase II assessment to ensure the site is safe and clean for new manufacturing, shipping, or commercial businesses. The economic benefit of such a business center could be critical in the lives of county residents who have seen numerous job losses and natural disasters. Industrial and commercial centers such as the type considered for the project site offer a wide range of employment opportunities for a broad spectrum of workers, from entry-level blue collar jobs to management and executive leadership. Requirements vary, and options can include opportunities for workers without post-high school education. In addition, benefits will include

Denton County Transportation Authority
Lewisville Maintenance Facility Phase II Subsurface Investigation Project

an increase in property taxes to support infrastructure needs, elimination of the blighted area, and increased community pride for an area that will transform from an eyesore to a thriving center for economic prosperity. As stated above, this aligns with the Lewisville Old Town Plan, the Lewisville 2025 Plan, and the DCTA Creating Livable Communities with Transit. Please see above for descriptions of the listed Plans.

PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

Audit Findings: DCTA has never had any adverse audit findings associated with any federal or non-federal assistance agreements.

Programmatic Capability: DCTA has a strong history of managing large projects from concept to completion using a variety of local, state, and federal funding. DCTA has a dedicated Capital Projects Project Manager, a Financial Coordinator, and Chief Operating Officer who all contribute to project management, financial management and reporting. This is an experienced team that is able to competently complete post-award requirements including required financial and accounting reports, work plan, budget, and other required forms. The team includes the following:

- **Project Director:** Raymond Suarez, Chief Operating Officer. Mr. Suarez is responsible for developing, organizing, and directing the implementation of the proposed project. Mr. Suarez is a proven transportation operations and technology leader with more than 30 years of experience with similar projects both in the public and private sector.
- **Project Manager:** Ann Boulden, PMP, Capitol Projects. Ms. Boulden will oversee all day-to-day activities and work with the Project Director to ensure that all phases of work are completed within the designated timeline and within budget. She will work closely with the Financial Coordinator to complete the required financial and accounting reports, submit invoices for reimbursement, complete the final report, project close-out, and the retention of records for three years after close-out. Ms. Boulden has over 21 years of experience with similar projects including working with stakeholders and managing and guiding consultants.
- **Financial Coordinator:** Anna Mosqueda, DCTA CFO. Ms. Mosqueda and her staff will work with the Project Manager to complete the required financial and accounting reports, submit invoices for reimbursement, complete the final report, project close-out, and records retention. Ms. Mosqueda has over 25 years of experience with similar projects.

In addition, DCTA has a centralized purchasing and procurement department which will be used to acquire contractors and consultants for this project. The procurement department is well-versed and has successfully administered procurements following federal regulations. We will procure an experienced and qualified consultant to perform the Phase II assessments and we will follow our local procurement policy which is more stringent than federal procurement regulations. We are experienced in developing request for proposal or qualification documents, reviewing, ranking, and selecting the most responsive bidder, submitting bid results to our Board for approval, executing consultant contracts, and managing/monitoring the work.

Denton County Transportation Authority
Lewisville Maintenance Facility Phase II Subsurface Investigation Project

Measuring Environmental Results: Anticipated Outputs/Outcomes: Our ultimate goal is three-fold. First, we must identify if there is contaminated soil or groundwater at the project site and if yes, to what extent. Second, after this analysis, we will perform the appropriate clean-up, if the testing confirms we must mediate the contamination. And finally, we want the project to yield redevelopment that will in turn provide a place for new businesses or the relocation of businesses, new jobs, and increased tax revenue for the location.

Table 4. Anticipated Outputs and Outcomes

Output (must be measurable during the grant performance period)	Outcomes (not necessarily achievable during the grant performance period)
<ul style="list-style-type: none">• Number of Phase II site assessments• Number/type of community groups notified and involved during process• Number of community meetings/public workshops held	<ul style="list-style-type: none">• Increased industrial real estate inquiries for the site• Increased property tax revenue for the location• Number of new businesses located at the site• Number of jobs created

DCTA Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements. Past Performance and Accomplishments: Given the nature of our core business (transit) the majority of our grant funding is from the U.S. Department of Transportation's Federal Transit Administration. We are also currently in receipt of a trail grant from the Texas Department of Transportation and four grants from the Federal Emergency Management Agency. All of these grants require compliance with federal rules and regulations, similar to those that will be required for an EPA Brownfields grant. The following five examples are provided to underscore our ability to manage federal grant proceeds:

- **Federal Transit Administration, \$200,000** to conduct an Operational Analysis planning study of our existing bus service. We hired a consultant, Nelson Nygaard, to perform the planning study which included a public outreach effort. Service recommendations for Highland Village were implemented in April 2016 and recommendations for Lewisville were completed in August 2016. Operational recommendations for Denton will be completed in Fiscal Year 2017. This project requires the DCTA to follow federal procurement regulations, allowable cost principles, and financial accounting principles.
- **Federal Transit Administration, \$12.5 million** to install a positive train control system that stops a train automatically if certain conditions are present (e.g. train-to-train collision, etc.). DCTA contracted with Alstom to implement the project and we are currently at 90% design. Vehicle installation began in October 2016 and the project is expected to be completed by December 2017. Quarterly reports have been submitted on time using the FTA's online portal called TrAMS. This project requires the DCTA to follow federal procurement regulations, allowable cost principles, and financial accounting principles.
- **Federal Transit Administration, \$8.2 million** to construct a 22,613 square-foot operations and maintenance facility to accommodate the DCTA bus fleet. The facility was constructed

Denton County Transportation Authority
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and completed in May 2016. This grant will be closed out by December 2016. Again, this grant required DCTA to comply with significant federal and state rules and regulations.

- **Federal Transit Administration, \$360,000** to acquire bus scheduling software and COGNOS, a financial reporting software program. Acquiring the licenses and implementation support for the bus scheduling software was complete in September 2016. An RFP will be released in January 2017 for the financial software program. Completion of the financial software program is expected to be completed by the end of December 2017.
- **Federal Emergency Management Agency, \$493,239** to repair 6,000 linear feet section of railroad track damaged as a result of severe storms. This project will be completed in February 2017. Management of this grant requires adherence to federal environmental laws (NEPA), federal procurement, and submission of quarterly reports.

Work Plan, Schedule, and Terms and Conditions Compliance: For the five examples provided above, we are compliant with each work plan, schedule, and terms and conditions and we are making progress towards achieving the expected results of the grant in a timely manner. There are no corrective actions necessary (to date) for the five examples provided above nor for any other active grant the DCTA is managing. When a corrective action is necessary, for example a time extension, we follow the specific grant's instructions which typically requires a formal request on letterhead and an explanation why a time extension is required.

History of Timely and Acceptable Reporting and Grant Management: The DCTA receives and manages federal, state, and regional grants on an annual basis. To track grant funding, we use a fully automated financial management and reporting system. We are able to maintain separate fund accounts for each funding source and provide appropriate financial reports that clearly demonstrate our ability to manage large amounts of funds for very complex projects. Programs are monitored annually by an independent auditor and we are accustomed to unscheduled audits. All required reports and documents have been submitted on time and there have been no adverse audit findings from a government agency nor has DCTA been required to comply with high risk terms and conditions. We are well versed and skilled in understanding the Super Circular, Federal Executive Orders, and the Code of Federal Regulations, etc. Upon receipt of a new grant award, we have a systematic process for managing the project and grant funds that includes developing a master Tracking Table that assigns roles and responsibilities to DCTA staff across all functions including procurement, finance, and the project manager/engineer. We have an all-hands kick-off meeting to review the grant agreement, milestones, and budget and then meet either monthly or bi-monthly thereafter until the grant agreement is closed out. Reporting is a key component of these review meetings. If a specific grant award requires electronic reporting, we register as required with the online system and become familiar with the requirements early in the process. We also calendar each report date and begin working on the required report approximately 30 days prior to the report deadline. We are also in the process of developing a Grant Management Procedures Manual to guide our activities from grant writing through to close-out and records retention. We expect this manual to be completed in 2017.

End 15-Page Narrative

Regional Priorities Form/Other Factors Checklist

Name of Applicant: Denton County Transportation Authority

Regional Priorities Other Factor

If your proposed Brownfields Assessment project will advance the regional priority(ies) identified in Section I.F., please indicate the regional priority(ies) and the page number(s) for where the information can be found within your 15-page narrative. Only address the priority(ies) for the region in which your project is located. EPA will verify these disclosures prior to selection and may consider this information during the selection process. If this information is not clearly discussed in your narrative proposal, it will not be considered during the selection process.

Regional Priority Title(s):

Improving Air Quality

Page Number(s): 2-4 and 12

Assessment Other Factors Checklist

Please identify (with an **X**) which, if any, of the below items apply to your community or your project as described in your proposal. To be considered for an Other Factor, you must include the page number where each applicable factor is discussed in your proposal. EPA will verify these disclosures prior to selection and may consider this information during the selection process. If this information is not clearly discussed in your narrative proposal or in any other attachments, it will not be considered during the selection process.

Other Factor	Page #
<i>None of the Other Factors are applicable.</i>	
Community population is 10,000 or less.	
Applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
Target brownfield sites are impacted by mine-scarred land.	
Project is primarily focusing on Phase II assessments.	X, Page 2
Applicant demonstrates firm leveraging commitments for facilitating brownfield project completion by identifying amounts and contributors of funding in the proposal and have included documentation.	X, Page 10
Recent (2008 or later) significant economic disruption has occurred within community, resulting in a significant percentage loss of community jobs and tax base.	
Applicant is one of the 24 recipients, or a core partner/implementation strategy party, of a "manufacturing community" designation provided by the Economic	

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 13, 2016

Mr. James C. Cline, Jr., President
Denton County Transportation Authority
1955 Lakeway Drive
Lewisville, Texas 75057

Re: Denton County Transportation Authority's Application for a U.S. Environmental Protection Agency Brownfields Assessment Grant FY17

Dear Mr. Cline:

The Texas Commission on Environmental Quality (TCEQ) is pleased to offer this letter of support for Denton County Transportation Authority's (DCTA) application to the U.S. Environmental Protection Agency for an Assessment Grant.

DCTA plans to conduct Phase II subsurface assessment activities to determine the existence and extent of possibly hazardous materials and/or petroleum at the DCTA's Lewisville Maintenance Facilities located at East Highway 121 and South Railroad Street, Lewisville, Denton County, Texas.

TCEQ offers support and participation in the project planning and implementation in order to achieve the best outcomes for the environment and community. We look forward to working with the DCTA on this project to move forward with community involvement, long-term cleanup efforts, and revitalization that will transform the property into usable sustainable land that benefits the entire community.

You may contact me at 512-239-2252 or Kristian.livingston@tceq.texas.gov if you have any questions or if you would like additional information.

Sincerely,

A handwritten signature in blue ink that reads "K.M. Livingston".

Kristy Mauricio Livingston, Brownfields Program Manager
VCP-CA Section
Remediation Division

KML/bk

cc: Ms. Amber Howard, EPA Region 6, Brownfields Section, howard.amber@epa.gov
Ms. Denise Williams, EPA Region 6, Brownfields Section, williams.denise@epa.gov

December 12, 2016

Mr. Paul Johnson
EPA Region 6
1445 Ross Avenue
Suite 1200 (6SF-VB)
Dallas, TX 75202-2733

RE: Denton County Transportation Authority's EPA Brownfields Assessment Grant Application – Leveraged Funds/Match Certification

Dear Mr. Johnson:

As the President of Denton County Transportation Authority (DCTA), I am pleased to write this letter certifying DCTA's commitment of \$108,870 for the removal of tires, debris, trash, and barrels from the property listed as the proposed brownfield assessment site in the DCTA's Phase II Subsurface Assessment Project.

Please contact Ann Boulden, *Project Manager, Capital Projects* at (972) 966-5112 if additional information is required.

Sincerely,

Denton County Transportation Authority


James C. Cline, Jr., P.E.
President

Denton County Transportation Authority
Lewisville Maintenance Facility Phase II Subsurface Investigation Project

Letters of Support/Commitment

Agency	Received
Denton County Judge Mary Horn	Yes
Lewisville Chamber of Commerce	Yes
Senator Cornyn	Yes



MARY HORN

Denton County Judge

December 13, 2016

Mr. Jim Cline, President
Denton County Transportation Authority
604 East Hickory Street
Denton, TX 76205

RE: DCTA Brownfields Assessment Grant Application

Dear Mr. Cline:

On behalf of the Denton County Commissioners Court, I would like to extend our support to the Denton County Transportation Authority (DCTA) on its application for an EPA Brownfields Assessment grant.

The DCTA's proposed project, to assess the level of pollutants at its Rail Maintenance Facility in the City of Lewisville, is greatly needed to determine exactly what substances may or may not be present. The property is located in a floodplain, upstream from a designated wetlands area and Lake Lewisville, which is a source of drinking water for the area. This proposed project will inform county-level planners and other experts on the extent of hazardous contaminants in the soil and the level of groundwater contamination at the site and will provide a starting point to begin development of a cleanup plan to remove the substances that might negatively affect air and water quality and public health.

We hope the DCTA is awarded the EPA Assessment grant. While the county is unable to provide financial impact towards the project, we would be able to post a project progress report on our website or provide data available to our offices through various online sources.

Please keep us informed of the status of your grant opportunity as performing soil and water investigations throughout the site to determine next steps for further cleanup activities is a vital endeavor for the well-being of the county.

Sincerely,

Mary Horn
Denton County Judge

cc: Denton County Commissioners Court members



December 12, 2016

Mr. Jim Cline, President
Denton County Transportation Authority
604 East Hickory Street
Denton, TX 76205

SUBJECT: EPA Brownfields Assessment Grant for the Denton County Transportation Authority

Dear Mr. Cline:

It is with great pleasure that we provide this letter of support for the Denton County Transportation Authority's (DCTA) application for the EPA Brownfields Assessment grant. The Lewisville Area Chamber of Commerce promotes business and economic development in the community, and encourages employment opportunities for our citizens. The DCTA's proposed project to implement a formal assessment of possible hazardous substances at the DCTA's Lewisville Maintenance Facility is aligned with the vision of the Lewisville Chamber of Commerce (i.e., to explore ways to transform local property into safe and clean land that may be used for future industrial or commercial business development and employment opportunities). A large portion of the property involved in the proposed assessment is currently unused and offers no community benefits due to the unknown levels of contamination on site. Knowledge gained from the proposed project will significantly benefit our community by providing baseline data on pollutants where they exist, thereby allowing an informed approach to begin addressing property cleanup and eventually investing in business development in the area.

The Lewisville Chamber of Commerce is committed to providing assistance to the project, including, for example: 1) Participating in project meetings in an advisory role; 2) Communicating project status and progress to local businesses through our website, community newsletters, or community events and announcement boards; and 3) assist in conducting outreach to, and data collection from, local businesses to provide input about the project from the business community throughout its implementation. We look forward to collaborating with the DCTA and assisting you in identifying possible hazardous conditions at the property and addressing those conditions in a way that promotes business development and employment opportunities for our residents.

Sincerely,


Ray Hernandez
President

Lewisville Chamber of Commerce

United States Senate

WASHINGTON, DC 20510-4305

December 19, 2016

Nichole Distefano
Associate Administrator for Congressional and Intergovernmental Relations
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Room 3426 Arn
Washington, DC 20460

Dear Associate Administrator Distefano:

I am writing to express my support for the Brownfields Assessment Grant Program application submitted to the Environmental Protection Agency by the Denton County Transportation Authority (DCTA).

As you and your staff review the proposal, I trust you will give full consideration to the many strengths of this application. As you may know, DCTA is a public transit agency that provides bus and rail service to one of the fastest growing counties in the North Texas region. Currently, DCTA has vacant land on its property that houses their Rail Maintenance Facility. A Phase I Assessment has already been performed on this site. Unfortunately, when the site was acquired, there were remnants of illegal dumping that remained – including construction waste, tires, empty barrels, and other debris. This grant, if awarded, would enable DCTA to perform a Phase II sub-surface assessment to identify any potentially hazardous substances have been introduced and help determine recommended next steps for further cleanup activities.

I would appreciate your efforts to ensure that I am kept informed of the progress of this application. Please contact Andrea McGee (Andrea_McGee@cornyn.senate.gov), my Grants Coordinator, with any developments regarding this proposal as soon as they are available.

Thank you for your assistance and consideration.

Sincerely,



JOHN CORNYN
United States Senator

ELIGIBILITY AND ADDITIONAL DOCUMENTATION ATTACHMENT

- 1. Threshold Criteria Narrative**
- 2. Texas Commission on Environmental Quality's (TCEQ) Petroleum-Site Eligibility Determination**
- 3. Project Location Map**
- 4. Topographic Map**
- 5. Site Plan**
- 6. Sample Photo Page**

THRESHOLD CRITERIA DOCUMENTATION

1. Applicant Eligibility: The Denton County Transportation Authority (DCTA) is an eligible county entity as specified in the EPA brownfields Assessment Grant guidelines. In addition, Paul Johnson the EPA Region 6 contact confirmed that, "DCTA is an eligible applicant as they are a 'quasi-governmental agency.' No additional documentation is required," on November 29, 2016.

2. Community Involvement: DCTA will work closely with guidance from the Texas Commission on Environmental Quality (TCEQ), the City of Lewisville, public health agencies, community groups, and other stakeholders to ensure that the public is well informed throughout the proposed project and beyond. DCTA and the City of Lewisville are committed to posting project status updates and public meeting information on their prospective websites and newsletters throughout the duration of the project. DCTA is also committed to informing all stakeholders who have supplied a letter of commitment of public meetings and status reports so that the stakeholders may in turn convey any information to their members and constituents.

III.C. Additional Threshold Criteria (for Site-Specific Proposals Only)

1. Basic Site Information

- a. DCTA Lewisville Maintenance Facility
- b. 640 Texas 121 Business, Lewisville, Texas 75057
- c. Denton County Transportation Authority (DCTA)

2. Status and History of Contamination at the Site: During an initial Phase I assessment of the property in 2013, the property was found to contain over 75 visible 55-gallon drums and barrels, 5-gallon buckets, tires, construction waste including concrete and rebar, and debris. The barrels and buckets are empty except for rain water and an oily residue. The proposed project is to implement a Phase II subsurface assessment to determine if there are any petroleum and hazardous substances present at the site, and if so, to what extent.

Operational History: Based on a review of historical information, the site consisted of vacant land with a rural farmstead located on the central portion of the site from the early 1940s to the late 1990s. Gravel mining operations occurred on the northern and southern portions of the site from the mid-1960s to the early 1980s. Landfilling of the quarries with rock and construction materials appears to have occurred from the 1980s until the early 2000s. A junkyard was located on the northwestern portion of the site in the early 2000s and illegal dumping of household trash, construction materials, tires, drums and road construction materials occurred throughout the site until 2011, when the DCTA Operations and Maintenance Facility was constructed on-site. The landfilling operations, numerous on-site unlabeled drums and former junkyard constitute recognized environmental conditions (REC) to the site.

Denton County Transportation Authority
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Current Uses: Portions of the property are used for DCTA's Rail Maintenance Facility which includes one tank hold for the 16,000-gallon diesel underground storage tank (UST), three hazardous materials sheds with secondary containment, two pits with floor drains for train maintenance, one train wash bay with floor drains, one oil/water separator connected to the pits and train wash bay, a paint booth with four emission stacks, one back-up emergency generator with a 250-gallon diesel aboveground storage tank (AST), electric aboveground hydraulic lifts, three above-head crane systems, one municipal trash receptacle, and pad and pole-mounted electrical transformers. The building is equipped with an underground vent system for methane mitigation and control. This was necessary due to the building's proximity to the underground former quarry and landfill. Based on site observations, regulatory status and/or age (less than 2 years old), the site reconnaissance of the DCTA maintenance and operations facility did **not** identify RECs to the site.

Environmental Concerns: Due to the limited Phase II subsurface assessment findings at two locations (Lot D and F) on the DCTA property including excess levels of Arsenic, Lead, Mercury, and Selenium in the soil and groundwater, the most pressing environmental concerns are air, water, and soil quality, and public health. The site contains a tributary of Timber Creek at the southwest corner of the property and is upstream from a recognized wetlands area and Lake Lewisville (a source of drinking water for the City of Lewisville). The proposed site is also located adjacent to Northwood Mobile Home Park with over 450 homes with families who depend upon safe water to drink and clean air to breathe.

Site Contamination: Tilford Berry, located one-quarter mile south of the intersection of Texas 121 Business and Railroad Street, was located on-site and is listed as a closed and abandoned landfill (CALF). Based on the CALF listing, the landfill was unpermitted and was reported to be open in 1982. The landfill was reported to have construction materials and brush disposed on-site. Based on the landfiling operations, the CALF listing constitutes a REC to the site. In addition, over 75 barrels are littered throughout the property and are currently empty due to the removal or lack of bungs. Some of the barrels and buckets are partially filled with rainwater and oily substances. The main purpose of the proposed Phase II subsurface assessment is to identify if there are hazardous substances and/or petroleum present throughout the fenced and unused portions of the site. In 2009, a limited Phase II assessment was conducted at two locations on the DCTA property (Lots D and F) where DCTA facilities were built to house the rail maintenance facilities. No Phase II subsurface soil or water investigation has occurred on the undeveloped portions of the property (approximately 46 acres). The draft assessment and report found that soil samples exceeded the Texas Commission on Environmental Quality (TCEQ) TRRP Tier 1 commercial/industrial PCL soil medium ingestion route for Arsenic, Lead, Mercury, and Selenium. Arsenic was found in excess in the groundwater. The proposed project will determine the extent of contamination throughout the property and identify the most effective process to ensure proper cleanup of substances that could affect air and water quality, and public health for residents and businesses in the community.

3. Brownfields Site Definition: The proposed site is a real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant owned by DCTA and located at 640 Texas 121 Business, Lewisville, Texas 75057. The property is **not** listed or proposed for listing on the National Priorities List, is **not** subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA, and is **not** subject to the jurisdiction, custody, or control of the U.S. government.

4. Enforcement or Other Actions: There are no known ongoing or anticipated environmental enforcement or other actions related to the proposed brownfield site.

5. Sites Requiring a Property-Specific Determination: The proposed project site does not require a site-specific determination. The property does not meet any of the special classes of property which require a site-specific determination.

6. Site Eligibility and Property Ownership Eligibility: The proposed property is a combination of petroleum and hazardous materials site, and is considered predominately a petroleum site with indistinguishable contamination areas throughout the site. Please see responses to section (b) Property Ownership Eligibility – Petroleum Site per the Threshold Eligibility instruction in the guidelines below.

(a) Property Ownership Eligibility – Hazardous Substance Sites

Not applicable.

(1) CERCLA § 107 Liability

Not applicable.

(2) Information on Liability and Defense Protections

Not applicable.

b. Timing and/or Contribution Toward Hazardous Substances Disposal

Not applicable.

c. Pre-Purchase Inquiry

Not applicable.

d. Post-Acquisition Uses

Not applicable.

e. Continuing Obligations

Not applicable.

(b) Property Ownership Eligibility - Petroleum Sites (Disregard this item if you do not have a petroleum site.)

A state determination letter was requested from the Texas Commission on Environmental Quality (TCEQ) on December 8, 2016. Please see the attached Petroleum-Site Eligibility Determination.

(1) Information Required for a Petroleum Site Eligibility Determination

2010 – Present: Denton County Transportation Authority

1964 – 2010: Tilford Berry

1949 – 1964: Laura Wright

1898 – 1949: Henry Wright

The current owner DCTA acquired ownership of the property from Tilford Berry's family through eminent domain/condemnation. The condemnation was necessary because the property owners were going into default due to inability to pay the property taxes on the land.

No party has been identified as the responsible party for the contamination at the site. The current owner, DCTA, acquired the property through condemnation. The previous owner was unable to pay the property taxes on the property and are unable to pay for site assessment and/or cleanup. The current owner is not responsible for contamination and has taken steps to remediate the contamination at the site. DCTA fenced the vacant land located on the property where illegal dumping occurred while under the ownership of Tilford Barry. The DCTA also performed a Phase I assessment on the vacant land in 2013 which identified household trash, construction materials, tires, drums (approximately 75+) and road construction materials occurred throughout the site that constitute recognized environmental conditions (REC). The DCTA is currently in the process to procure a contractor to remove and properly dispose of the construction materials, tires, drums, and debris from the site as a first step in the cleanup process.

Terracon Consultants, Inc. (Terracon) performed the Phase I assessment of the proposed property in 2013. This Phase I Environmental Site Assessment (ESA) was performed in accordance with Authorization of Services, and was conducted consistent with the procedures

Denton County Transportation Authority
Lewisville Maintenance Facility Phase II Subsurface Investigation Project

included in ASTM E 1527-05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The ESA was conducted by Meghan N. Espinoza, Environmental Professional, who performed the site reconnaissance on February 19, 2013. This assessment revealed no evidence of recognized environmental conditions (REC) located on the property except for the following which occurred prior to DCTA ownership:

- Gravel mining/landfilling operations on the northern and southern portions, occurred on-site from the mid-1960s to the early 2000s;
- A junkyard was formerly located on the northwestern portion of the site in the early 2000s; and
- Numerous unlabeled 55-gallon drums are located throughout the site.

Phase I Environmental Site Assessment available upon request.

The site is determined to be “relatively low risk” compared to other petroleum sites in Texas. The proposed site is not receiving or using Leaking Underground Storage Tank (LUST) Trust Fund Monies, nor is the site subject to a response under the Oil Pollution Act (OPA).

The proposed site does not have any judgements, orders, or third party suits identifying a responsible party for the proposed site.

The site is not subject to any order under section 9003(h) of the Solid Waste Disposal Act.

No party(ies) has been officially identified as responsible for the contamination at the site. Please note that DCTA acquired the property through condemnation due to the previous owner’s inability to pay the property taxes associated with the property. If the previous owners are found to be responsible for the contamination at the site, they are unable to provide the funds necessary for assessment and/or cleanup of contaminants found on the property.

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 19, 2016

Mr. James C. Cline, Jr., President
Denton County Transportation Authority
1955 Lakeway Drive
Lewisville, Texas 75057

Re: Eligibility Determination for U.S. Environmental Protection Agency (EPA) Brownfields Grant Funds, Petroleum Site Located at 640 Texas 121 Business, Lewisville, Denton County, TX

Dear Mr. Cline:

The Texas Commission on Environmental Quality (TCEQ) has received your request regarding the eligibility to fund assessment activities at the above referenced site. Based on our evaluation, the TCEQ provides the following conclusions regarding the site's eligibility for Brownfields grant funding.

1. The site is of relatively low risk

Pursuant to the EPA Grant Guidelines, it appears that the site is a relatively low risk site. This means that the site is not currently being cleaned up using Leaking Underground Storage Tank trust fund monies and the site is not subject to a response under the Oil Pollution Act. A site subject to a response under the Oil Pollution Act is one where the federal government has initiated an emergency response action to address a spill or similar event.

2. There is not a viable responsible party

As defined by the EPA Grant Guidelines, there does not appear to be a responsible party for the referenced site. Specifically, the TCEQ has no evidence that a responsible party has been identified through a court judgment, an enforcement action or a pending citizen suit, nor do TCEQ records reflect any enforcement action by federal or state authorities. Additionally, the application does not indicate that the current property owner has contributed to any petroleum contamination on the property.

3. Funding will be used by a party that is not liable for the petroleum contamination to assess, investigate, or cleanup the site

The application identifies the entity that will assess the site as the City of Lewisville. The application states the City of Lewisville is not a current or former operator of a petroleum facility on or near the property. Thus, the assessment would be conducted by and for a party not potentially liable for the contamination.

Mr. Cline
Page 2
December 19, 2016

4. The site is not subject to a corrective action order under 9003(h) of the Solid Waste Disposal Act

A review of the TCEQ's records does not identify the site to be subject to a corrective action order under 9003(h) of the Solid Waste Disposal Act.

The TCEQ has determined that the site is eligible for EPA Brownfields Assessment Grant Funding. The TCEQ's conclusions are based on EPA Grant Guidelines and the information the City of Lewisville provided in its property eligibility determination form dated December 9, 2016. Should you have any questions, please call me at 512-239-4940.

Sincerely,



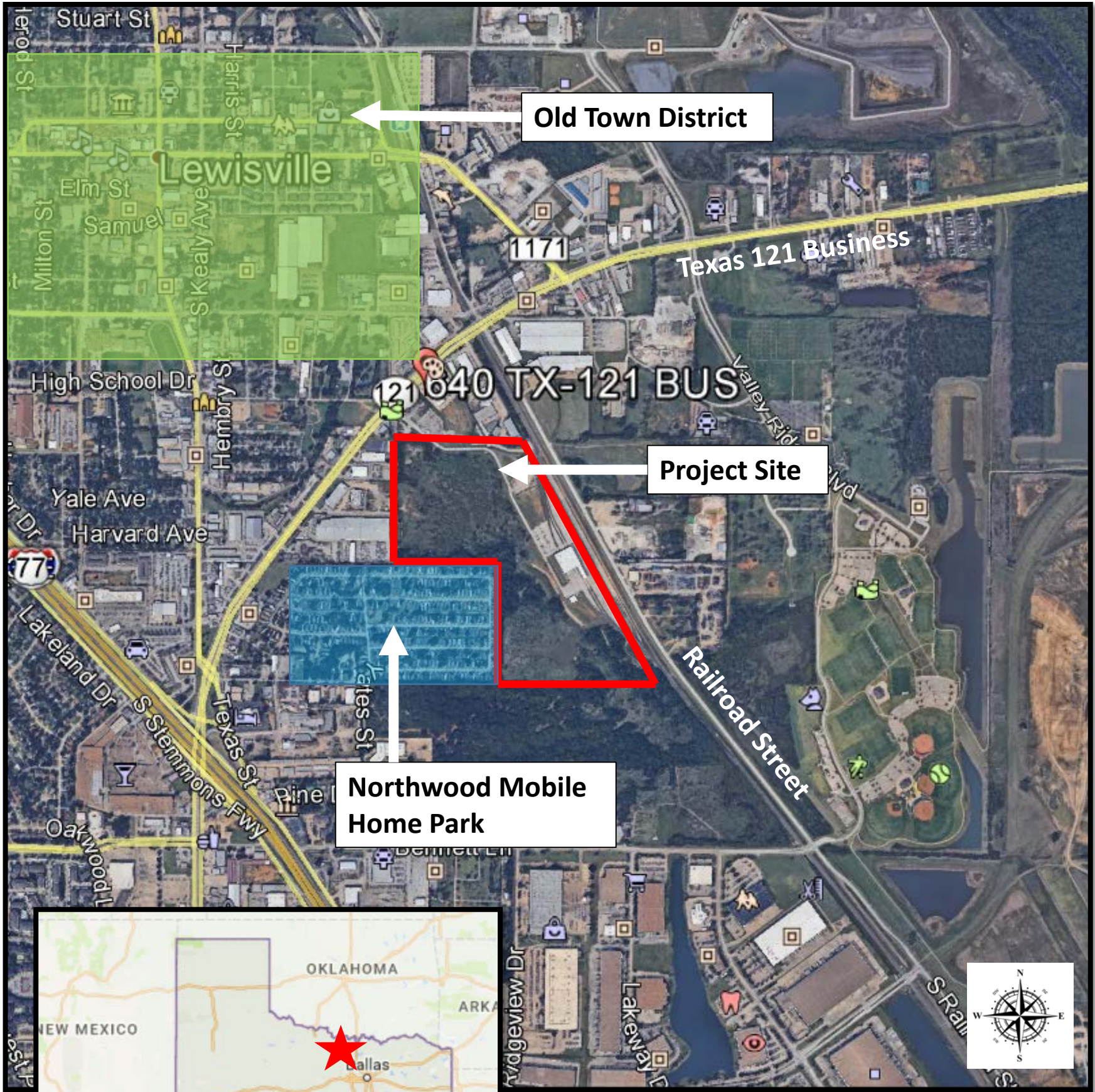
Robert Anderson, Brownfields Petroleum Eligibility Coordinator
VCP-CA Section
Remediation Division
Texas Commission on Environmental Quality

RA/jdm

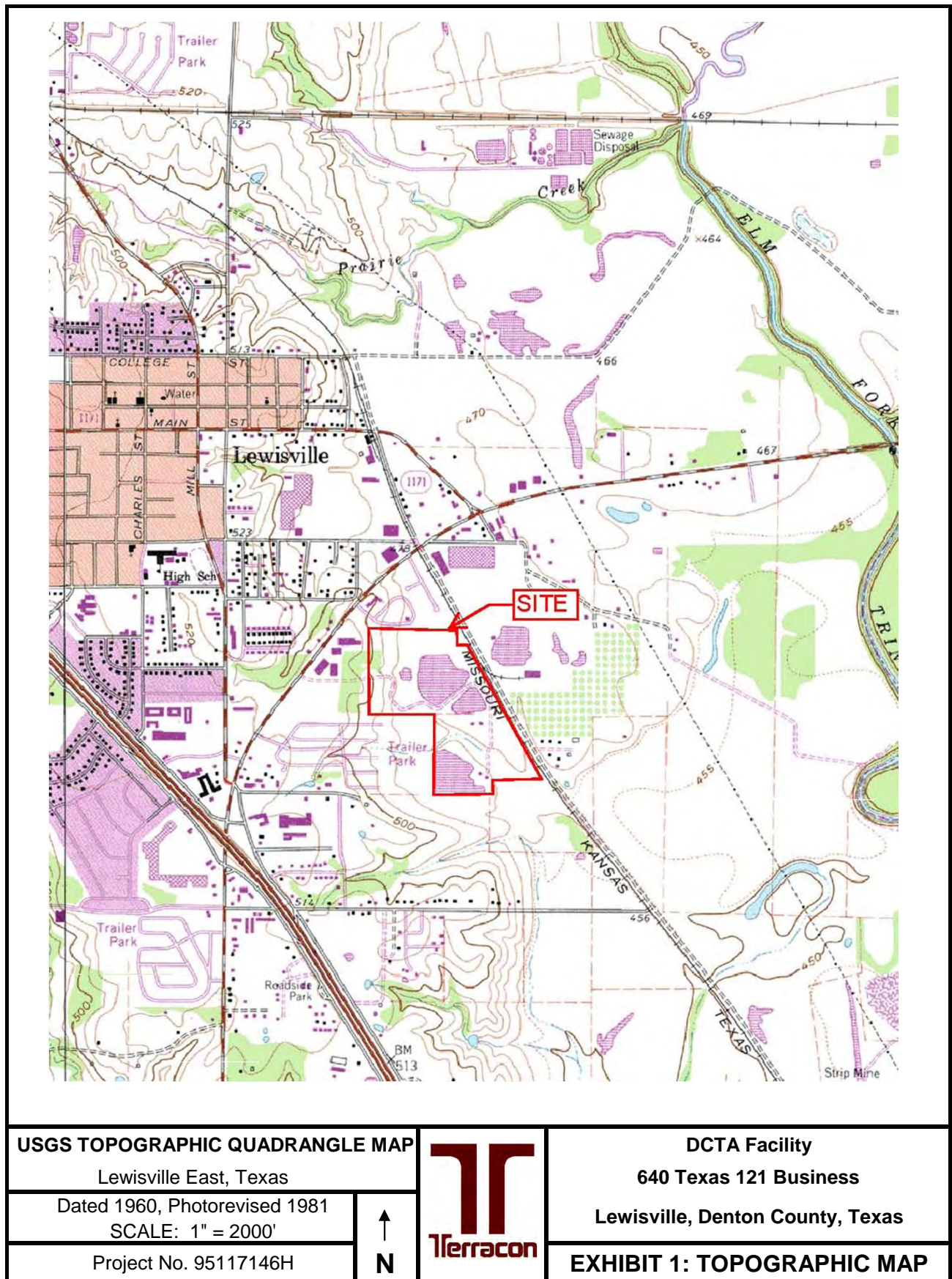
cc: Ms. Denise Williams, Williams.Denise@epa.gov, Project Manager, EPA Region 6

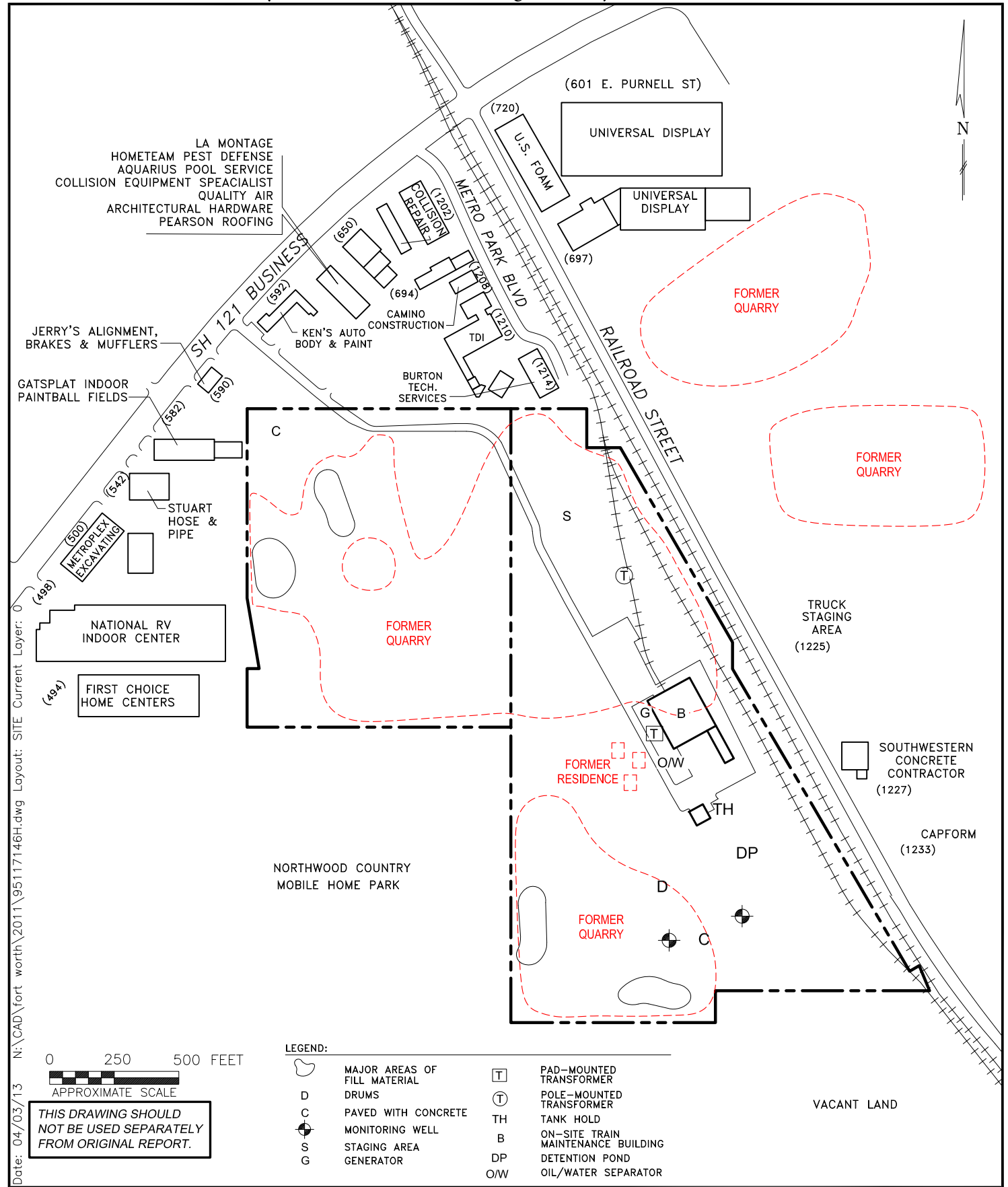
Ms. Susan Worley, Associate, Blais & Associates Professional Grant Management, P.O.
Box 1088, Austin, Texas 78767

Project Location Map



Denton County Transportation Authority
 Lewisville Maintenance Facility Phase II Subsurface Investigation Project
 Topographic Map





Project Mgr:	MNE	Project No.	95117146H	Terracon Consulting Engineers and Scientists (Registration No.: F-3272) 2501 EAST LOOP 820 N. FORT WORTH, TX 76118 PH. (817) 268-8600 FAX. (817) 268-8602	SITE PLAN DCTA FACILITY 640 TEXAS 121 BUSINESS LEWISVILLE, DENTON COUNTY, TEXAS	EXHIBIT A-1
Drawn By:	DLC	Scale:	AS SHOWN			
Checked By:	MNE	Date:	02/20/2013			
Approved By:	MNE					

Denton County Transportation Authority
Lewisville Maintenance Facility Phase II Subsurface Investigation Project

Sample Site Photos



Figure 1. View of typical dumping throughout site.



Figure 2. Typical concrete fill material throughout site.



Figure 3. View of dirt pile with aggregate.



Figure 4. Unsightly and stressed vegetation throughout project site.



Figure 5. 55-gallon drums (approximately 75+) throughout the site.



Figure 6. Drums are empty except for rain water and unknown oily substances..

Denton County Transportation Authority
Lewisville Maintenance Facility Phase II Subsurface Investigation Project

Per page 3 of Application Package; Question 14, the areas affected by the project are the City of Lewisville, Texas and Denton County, Texas.

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

12/20/2016

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: Denton County Transportation Authority

* b. Employer/Taxpayer Identification Number (EIN/TIN):

68-0569464

* c. Organizational DUNS:

1967047820000

d. Address:

* Street1:

1955 Lakeway Drive

Street2:

* City:

Lewisville

County/Parish:

* State:

TX: Texas

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

75057-6440

e. Organizational Unit:

Department Name:

Capital Projects

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Ms.

* First Name:

Ann

Middle Name:

* Last Name:

Boulden

Suffix:

Title: Project Manager

Organizational Affiliation:

* Telephone Number:

972-966-5112

Fax Number:

972-221-4601

* Email:

aboulden@dcta.net

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

X: Other (specify)

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

County Transport. Authority

* 10. Name of Federal Agency:

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

* 12. Funding Opportunity Number:

EPA-OLEM-OBLR-16-08

* Title:

FY17 Guidelines for Brownfields Assessment Grants

13. Competition Identification Number:

NONE

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

3_Affected Areas_DCTA Brownfields_122016.pd

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

Lewisville Maintenance Facility Phase II Subsurface Investigation Project

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:**

* a. Applicant TX-026

* b. Program/Project TX-026

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date: 06/01/2017

* b. End Date: 06/01/2020

18. Estimated Funding (\$):

* a. Federal	178,200.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	178,200.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☒ a. This application was made available to the State under the Executive Order 12372 Process for review on 12/20/2016 .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Ms. * First Name: Anna

Middle Name:

* Last Name: Mosqueda

Suffix:

* Title: Chief Financial Officer

* Telephone Number: (972) 316-6114 Fax Number:

* Email: amosqueda@dcta.net

* Signature of Authorized Representative: Anna Mosqueda * Date Signed: 12/20/2016